

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ABELARDO MORALES,

Plaintiff,

v.

Case No. 2:17-cv-10567

District Judge Laurie J. Michelson

Magistrate Judge Anthony P. Patti

MICHAEL SHANNON MOORE,
THOMAS WILSON, AMANDA RISK, A,
ROBERT D. MOORE, JASON GANZHORN,
RICHARD MICHAEL KLIMMER,
GERALD WHALEN, GLENN J. PAGE,
PATRICK BURTCH, JENNY MORRIS,
SHERIDAN SURVEYING, P.C.,
THOMAS TINKLEPAUGH, and
ADAM BROOKER,

Defendants.

ORDER REGARDING DEFENDANT SHERIDAN SURVEYING, P.C.'S
APRIL 20, 2017 LETTER (DE 27) and DIRECTING DEFENDANT
SHERIDAN SURVEYING, P.C. TO ENTER AN APPEARANCE OF
COUNSEL

Plaintiff filed this lawsuit *in pro per* on February 21, 2017 against several defendants, including Sheridan Surveying, P.C. (DE 1 at 1.) It seems that Defendant Sheridan Surveying is mentioned within Count III, Count V and a section of the complaint labeled, “1983 federal litigated damages[,]” and that the claims against it concern the alleged loss of land associated with a survey performed on the property line between 723 Page Ave., Jackson, MI (the location

of Moorski's Pub) and 729 Page Ave., MI (Plaintiff's residence). (DE 1 at 7, 10, 21.)

By a letter dated April 14, 2017, filed on April 20, 2017, and signed by its president (David Erickson), Defendant Sheridan Surveying has asked this Court to dismiss Plaintiff's case against it as frivolous and unsubstantiated. (DE 27.) This is problematic, as the Court has no reason to believe that Mr. Erickson is an attorney and a corporation cannot appear on its own behalf. "The rule of this circuit is that a corporation cannot appear in federal court except through an attorney." *Doherty v. Am. Motors Corp.*, 728 F.2d 334, 340 (6th Cir. 1984) (citing *Ginger v. Cohn*, 426 F.2d 1385, 1386 (6th Cir.1970); *United States v. 9.19 Acres of Land*, 416 F.2d 1244, 1245 (6th Cir.1969)).

Meanwhile, on June 13, 2017, this Court entered an order which, in part, noticed a status / scheduling conference for June 21, 2017. (DE 50.) On that date, Plaintiff appeared, as did the following defense attorneys: Brendon R. Beer (for Michael Shannon Moore and Robert D. Moore); Rhonda R. Stowers (for Ganzhorn, Klimmer, Burtch, Morris, Tinklepaugh and Brooker); Jason A. Geissler (for Whalen); and Elizabeth R. Husa Briggs (for Page). Defendant Sheridan Surveying, P.C. did not appear. Through a mistake by the Court, it appears that Defendant Sheridan Surveying did not receive notice of this hearing.

In any event, by receipt of this order, a copy of which will be mailed to Defendant Sheridan Surveying, P.C. at 910 Fifth Street, Michigan Center, MI 49254, this Defendant is notified that it may not appear in this Court “except through an attorney.” *Doherty*, 728 F.2d at 340. As such, Defendant Sheridan Surveying is **DIRECTED** to enter an appearance of counsel on its behalf. Otherwise, it risks entry of default or default judgment against it. Fed. R. Civ. P. 55.

IT IS SO ORDERED.

Dated: June 22, 2017

s/Anthony P. Patti

Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on June 22, 2017, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the
Honorable Anthony P. Patti